



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/511,091	10/14/2004	Ryutaro Hashi	L9289.04161	6147
24257 7590 03/09/2009				
Dickinson Wright PLLC				
James E. Ledbetter, Esq.				
International Square				
1875 Eye Street, NW., Suite 1200				
WASHINGTON, DC 20006				
EXAMINER				
RIYAMI, ABDULLA A				
ART UNIT		PAPER NUMBER		
2416				
MAIL DATE		DELIVERY MODE		
03/09/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

1. Applicant's arguments filed 02/18/2009 have been fully considered but they are not persuasive. Applicant argues that the prior art fails to disclose transmits information data matching the link establishment request as recited in claims 8 and 14. Examiner respectfully disagrees with Applicants' characterization of the prior art.

As per claims 8 and 14, Cheshire discloses a communication apparatus that transmits a plurality of items of information data each containing a predetermined amount of information, to one receiving side communication apparatus, the communication apparatus comprising:

a transmitting section (see figure 2, PC 200 and figure 7, block 440) that, after having received a response to a link establishment request (see paragraph 41, lines 5-15, imposter responses are sent as replies to prevent timeout, see also page 7, column 1, lines 44-45, imposter responses) from the one receiving side communication apparatus (see figure 3, access device 210 and figure 7, block 470), transmits information data (see paragraph 31, line 3, data in the request is considered information) matching the link establishment request (see paragraph 31, lines 1-15, PC communicates requests from application programs 202 via internet software 204); and

a requesting section (see figure 3, internet software 204) that transmits a link establishment request (see paragraph 31, lines 1-15, PC communicates requests from application programs 202 via internet software 204, see page 7, column 2, line 19, a second request and receiving a response to the second request) to the one receiving side communication apparatus (see figure 3, access device 210 and figure 7, block 470)

every time information data is transmitted (see figure 3, internet software 204) that transmits a link establishment request (see paragraph 31, lines 1-15, PC communicates requests from application programs 202 via internet software 204 in response to the multiple aliases returned to Internet software),

and, transmits a link establishment request for transmission of next information data before termination of a link for transmitting current information data (see paragraph 36, preventing a timeout from reaching a network user when connecting to a network, see paragraph 43, lines 1-10, the cycle of creating new, imposter names in response to requests prevents the timeout of a link until a connection is made to the service provider, also see page 7, column 2, line 1, if the link remains down, continuing to establish the link).

Cheshire's disclosure relates to preventing a timeout from being generated by an Internet application. Cheshire discloses receiving imposter responses (response) after a request (link establishment) has been sent out in order to prevent a timeout as shown in figure 5. Notice in paragraph 39, lines 1-5, upon receiving a DNS request, as shown in block 300, a check is made to determine whether the modem is connected to the Internet via an Internet service provider, as shown in block 302. Notice in paragraph 40, lines 1-12, if the modem is still not connected to the Internet, the domain name in the DNS request is examined to determine whether the domain name is a real domain name, as shown in block 310, this determination can be made solely by an examination of the domain name being requested, if the DNS request is for a real domain name, an imposter domain is created, as shown in block 312, the imposter domain name is

derived from the real domain name by appending information to the end of the real domain name, and a reply to the DNS request is then created and sent stating that the real name is an alias for the imposter domain name, as shown in block 314, this will cause the resolver to resend the **DNS request** for the address of the imposter domain name. Notice in paragraph 45, lines 1-10, check whether the modem is connected, as shown in block 302, if the modem is connected to the Internet service provider, a check is then made to determine whether the domain name is real, as shown in block 320, if the domain name is a real domain name, the DNS request is forwarded to the DNS server via the Internet service provider, as shown in block 324.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABDULLAH RIYAMI whose telephone number is (571)270-3119. The examiner can normally be reached on Monday through Thursday 8am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aung S. Moe/
Supervisory Patent Examiner, Art Unit 2416

/Abdullah Riyami/
Examiner, Art Unit 2416